

Article 5: Subdivision Procedures

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

Division 1: General Rules

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0101 Purpose of Subdivision Procedures

The purpose of these procedures is to regulate the division of lands and the associated design of improvements, and the acquisition and vacation of *public rights-of-way* and public easements within the City; to protect both the public and private interests in land *development* projects; and to supplement the provisions of the *Subdivision Map Act* and California Streets and Highways Code Sections 8300 through 8363.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0110 Applicability of Subdivision Procedures

The filing of a map as specified in the *Subdivision Map Act* and this article is required for all *subdivisions*. Determination of whether a final map or *parcel map* is required for a *subdivision* shall be in accordance with the *Subdivision Map Act*, Section 66426, or as otherwise specified in this article.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0111 Exclusions from Subdivision Procedures

This article does not apply to actions that are excluded or exempted under the *Subdivision Map Act*, except to provide for processing procedures consistent with the specified exclusion or exemption.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0120 When a Map Waiver May Be Requested

A *subdivider* may request a waiver of *tentative map*, *parcel map*, or final map requirements as provided by the *Subdivision Map Act*, Sections 66428 and 66428.1 for any of the following:

- (a) *Parcel Map Waiver*. The *subdivider* may request a waiver of the requirement to file a tentative *parcel map* or *parcel map* including those imposed by the *Subdivision Map Act*, Section 66426;

(b) Condominium Projects.

- (1) The *Subdivider* may request a waiver of the requirement to file a *tentative map* and *parcel map* or *final map* for the construction of a new condominium project on a single parcel that was previously mapped and monumented in a manner satisfactory to the City Engineer in accordance with Subdivision Map Act Section 66428(b); or
- (2) The *Subdivider* may request a waiver of the requirement to file a *tentative map* and *parcel map* for a *condominium conversion* project creating four or fewer condominium units.

- (c) *Mobilehome Park Conversion*. For conversion of a *mobilehome park* to a condominium in accordance with the *Subdivision Map Act*, Section 66428.1.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)
(Amended 11-28-2005 by O-19444 N.S.; effective 2-9-2006.)

§125.0121 Decision Process for Map Waivers

A decision on an application for a Map Waiver shall be made in accordance with Process Three. If the request is approved, the City Manager shall record a Certificate of Compliance or other suitable instrument as evidence of such approval in the office of the County Recorder.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0122 Findings for Map Waivers

The decision maker may approve a Map Waiver if the decision maker finds that the proposed division of land complies with requirements of the *Subdivision Map Act* and the Land Development Code.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0130 Vesting Maps

Whenever a provision of this article requires that a *tentative map* be filed, a vesting *tentative map* may be filed instead as provided by the *Subdivision Map Act*.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0131 Vesting Rights

The vesting rights conferred by a vesting *tentative map* as provided by the *Subdivision Map Act* shall remain in effect for two years from the date of the recordation of the final map or *parcel map* in accordance with the *Subdivision Map Act*.
(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0140 How to Apply for Correction and Amendment of Maps

An *applicant* shall file an application to correct or amend a recorded map as provided by the *Subdivision Map Act*, Chapter 3, Article 7, in accordance with Section 112.0102.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0141 Decision Process for Correction and Amendment of Maps

A decision on an application to correct or amend a recorded map shall be made in accordance with the following:

- (a) **Errors and Omissions:** If the proposed corrections or amendments to the recorded map consist of corrections to technical errors or omissions as provided by the *Subdivision Map Act*, Section 66469, the decision on the application for *Certificate of Correction* or *amended map* shall be made by the City Engineer in accordance with Process One;
- (b) **Substantial Conformance:** If the proposed amendments to the recorded map are not to correct errors or omissions but are in *substantial conformance* with the approved *tentative map* and any associated permits and the application is filed before the latest date to which the *tentative map* could have been extended or one year after the recording date of the *parcel map* or final map, whichever date is later, the decision on the application for the *amended map* shall be made in accordance with Section 125.0530 for amended *parcel maps* or Section 125.0630 for amended final maps; and
- (c) **Modified Conditions:** If the proposed amendments modify or eliminate conditions of approval of the recorded map or do not substantially conform with the approved *tentative map*, the City Council shall make the decision on the application for the *amended map* in accordance with Process Five.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0142 Findings for Correction and Amendment of Maps

The decision maker may approve an application to correct or amend a recorded map if the decision maker makes one of the following *findings*:

- (a) **Errors and Omissions.** A *Certificate of Correction* or *amended map* processed under Section 125.0141(a) may be approved if it complies with the provisions of the *Subdivision Map Act*, Chapter 3, Article 7, and the standards established in the Land Development Manual;

- (b) *Substantial Conformance.* An *amended map* processed under Section 125.0141(b) may be approved if it complies with the provisions of the *Subdivision Map Act*, Section 66470, and the standards established in the Land Development Manual and is in *substantial conformance* with the approved *tentative map* and any associated *development permits*; or
- (c) *Modified Conditions.* An *amended map* processed under Section 125.0141(c) may be approved if it complies with the provisions of the *Subdivision Map Act*, Section 66472.1.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)

§125.0143 Recordation for Correction and Amendment of Maps

If the *Certificate of Correction* or *amended map* is approved, the City Manager shall record the document in the office of the County Recorder.

(Added 12-9-1997 by O-18451 N.S.; effective 1-1-2000.)